

DEPARTMENT OF BENEFIT PAYMENTS

744 P Street, Sacramento, CA 95814



December 13, 1974

ALL-COUNTY LETTER NO. 74-252

TO: ALL DISTRICT ATTORNEYS

SUBJECT: CHILD SUPPORT LEGISLATION

REFERENCE:

During the 1973-74 session of the California Legislature several bills dealing with child support were enacted and will become effective on January 1, 1975. The following is a brief description of that legislation.

Penal Code: AB 1293 (Keene) amends Section 270 of the Penal Code to remove any reference to the sex of the offending parent, and makes the provisions for support of minor children applicable equally to the father and mother.

Wage Assignments: AB 1946 (McAlister) amends Section 4701 of the Civil Code to require assignment of wages for delinquent child support payments when a court order is in existence and the absent parent is in default by an amount equal to two months payments. The order can include arrearages as well as future payments.

The California Judicial Council has determined that Rule 1285.70 of the California Rules of Court, "Form of Order Re Assignment of Wages", will provide an acceptable form for use in these proceedings.

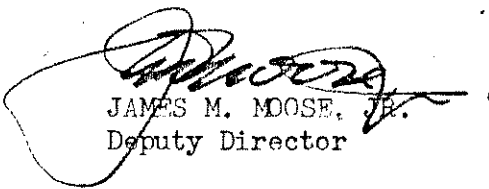
Foreign Support Orders: SB 811 (Robbins) rennumbers Sections 1695 through 1697 of the Code of Civil Procedure and adds new Sections 1697 through 1699, to provide additional remedies for obligees to enforce foreign support orders in this state. This permits a foreign order to be registered in a California court and provides for the obligee to be represented by the district attorney when the foreign order has been registered. This will allow full reciprocity with those jurisdictions which require such registration before support will be ordered.

OBSOLETESuperseded by ACL # 77-15
Issued 3-17-77

Modification of Support Orders: SB 1240 (Berryhill) permits modification of support orders entered prior to March 4, 1972, to increase the amount of child support, without terminating such support at 18 years of age.

I trust the above information will prove helpful.

Sincerely,



JAMES M. MOOSE, JR.
Deputy Director

cc: CWDA